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**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF ARIZONA**

IN RE BARD IVC FILTERS  
PRODUCTS LIABILITY LITIGATION

No. MD-15-02641-PHX-DGC

**SECOND AMENDED MASTER SHORT  
FORM COMPLAINT FOR DAMAGES  
FOR INDIVIDUAL CLAIMS AND  
DEMAND FOR JURY TRIAL**

Plaintiff(s) named below, for their Complaint against Defendants named below,  
incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc.364).

Plaintiff(s) further show the Court as follows:

1. Plaintiff/Deceased Party:

Sharon R. Thompson

2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of consortium claim:

N/A James D. Thompson

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator):

James D. Thompson – Power of Attorney

4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of implant:

~~James D. Thompson personal representative~~ TX

5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of injury:

TX

6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

TX

7. District Court and Division in which venue would be proper absent direct filing:

USDC for the Northern District of Texas – Fort Worth Division

8. Defendants (check Defendants against whom Complaint is made):

☒ C.R. Bard Inc.

☒ Bard Peripheral Vascular, Inc.

9. Basis of Jurisdiction:

☒ Diversity of Citizenship

☐ Other: \_\_\_\_\_

a. Other allegations of jurisdiction and venue not expressed in Master Complaint:

N/A

10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a claim (Check applicable Inferior Vena Cava Filter(s)):

☐ Recovery<sup>®</sup> Vena Cava Filter

☒ G2<sup>®</sup> Vena Cava Filter

☐ G2<sup>®</sup> Express Vena Cava Filter

☐ G2<sup>®</sup> X Vena Cava Filter

☐ Eclipse<sup>®</sup> Vena Cava Filter

☐ Meridian<sup>®</sup> Vena Cava Filter

☐ Denali<sup>®</sup> Vena Cava Filter

☐ Other: \_\_\_\_\_

11. Date of Implantation as to each product:

01/08/2009

12. Counts in the Master Complaint brought by Plaintiff(s):

☒ Count I: Strict Products Liability – Manufacturing Defect

☒ Count II: Strict Products Liability – Information Defect (Failure to Warn)

- ☒ Count III: Strict Products Liability – Design Defect
- ☒ Count IV: Negligence - Design
- ☒ Count V: Negligence - Manufacture
- ☒ Count VI: Negligence – Failure to Recall/Retrofit
- ☒ Count VII: Negligence – Failure to Warn
- ☒ Count VIII: Negligent Misrepresentation
- ☒ Count IX: Negligence *Per Se*
- ☒ Count X: Breach of Express Warranty
- ☒ Count XI: Breach of Implied Warranty
- ☒ Count XII: Fraudulent Misrepresentation
- ☒ Count XIII: Fraudulent Concealment
- ☒ Count XIV: Violations of Applicable TX (insert state)  
Law Prohibiting Consumer Fraud and Unfair and Deceptive Trade  
Practices
- ☒ **Count XV: Loss of Consortium**
- ☐ Count XVI: Wrongful Death
- ☐ Count XVII: Survival
- ☒ Punitive Damages
- ☐ Other(s): \_\_\_\_\_ (please state the facts supporting  
this Count in the space immediately below)

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13. Jury Trial demanded for all issues so triable?

- ☒ Yes
- ☐ No

RESPECTFULLY SUBMITTED this 13<sup>th</sup> day of September, 2016.

**MATTHEWS & ASSOCIATES**

By: /s/ David P. Matthews  
David P. Matthews  
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*Attorneys for Plaintiffs*

1 I hereby certify that on this 13th day of September, 2016, I electronically transmitted  
2 the attached document to the Clerk's Office using the CM/ECF System for filing and  
3 transmittal of a Notice of Electronic Filing.

4 /s/ David P. Matthews

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